

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FRANKIE L. YOUNG, :  
Plaintiff, :  
v. : Case No. 3:05-cv-50-KRG-KAP  
JEFF CALLAHAN, :  
Defendant :  
:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on March 5, 2008, docket no. 42, recommending that defendant's motion for summary judgment, docket no. 40, be granted.

The parties were given notice that, pursuant to 28 U.S.C. § 636(b)(1), they had ten days to file written objections to the Report and Recommendation. No objections have been filed and the time to do so has expired.

After review of the record of this matter and the recommendation of the Magistrate Judge, the following order is entered:

AND NOW, this 26<sup>th</sup> day of March, 2008, it is  
ORDERED that defendant's motion for summary judgment,  
docket no. 40, is granted. The Report and Recommendation is  
adopted as the Opinion of the Court. The Clerk shall mark this  
matter closed.

BY THE COURT:



KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

Frankie L. Young 03-3202  
Cambria County Prison  
425 Manor Drive  
Ebensburg, PA 15931